

## Mayor and Council Work Session

700 Doug Davis Drive

Hapeville, GA 30354

January 22, 2018 6:00PM

### MINUTES

1. Call to Order: Mayor Hallman called the Council Session to order at 6:07pm at 700 Doug Davis Drive, Hapeville, GA 30354.

2. Roll Call:

Mayor Alan Hallman

Councilman at Large Travis Horsley

Councilman Ward I Mark Adams

Councilman Ward II Chloe Alexander

3. Welcome

4. PRESENTATION

4.I Recognition of Promoted Officers by Chief Glavosek

Chief Glavosek recognized Sergeant Freda Smith, Sergeant James Carroll, Corporal Cliff Halten, and Corporal Marlene Williams-Edwards for their recent promotions.

5. PUBLIC HEARING

5.I Consideration and Action on True Brothers LLC D/B/A Corner Market's Request for a 2019 Alcohol Beverage License at 3332 Colville Avenue

Mayor Hallman opened a public hearing to hear from staff, applicant and the public. Staff recommended approval. There were not comments from the applicant or the public. Councilman Horsley requested that staff make sure the dumpster doors at this location are closing.

**MOTION: Councilman Horsley made a motion to approve the 2019 alcohol beverage license for True Brothers LLC D/B/A/ Corner Market, Councilman Adams seconded. Motion carried 3-0.**

5.II Consideration and Action to Provide a Special Exception at 917 Virginia Avenue

City Attorney Andy Welch stated that the notice ran for the public hearing was for the December 18, 2018 meeting which there was no quorum present. He said that he would err on side of re-noticing this for a public hearing again. Also, there is an alley way issue of who owns the alley way. There is no title record of who owns the alley way. Mr. Welch said legal believes that the City would have a prescriptive easement by virtue of maintaining the alley way or performing any maintenance work on it. But until the title record is made clear, this is just an opinion. The only way to secure a lawful, completed, identifiable title to the property is to file a quiet title action. The process requires sending out notices to the public.

**MOTION: Councilman Horsley made a motion to table this item to allow for advertising of public hearing, Councilman Alexander seconded. Motion carried 3-0.**

Mayor Hallman asked does Council want to task legal, separate from the zoning matter, to pursue the quiet title? Councilman Horsley asked how long does it take? Mr. Welch said that if no one opposes or intervenes, then it could be very quick or take up to a year. He suspects that it'll be the City claiming interest, and Mr. Patel claiming interest. Depending on what the interests are, there may be a consent reached.

Dr. Patterson stated that the alley way shows on the plat. It goes right through the parking lot and doesn't actually affect the building.

Applicant Rajesh Patel said he was told by his attorney that the alley way belongs to the City, and that if there is no building on it, it's basically just an access road. Mr. Welch said that the title records may have the title exceptions that specially identify being prescriptive easements or public access in his title records. Mr. Welch said it may just be getting with Mr. Patel's attorney to work it out. Councilman Horsley said if this does not work out, he would be fine with proceeding with the quiet title action.

6. Questions on the Agenda Items – none

7. OLD BUSINESS

7.I Consideration and Action to Grant a Conditional Use Permit at 1031 Virginia Avenue

**MOTION: Councilman Adams made a motion to table the item to allow for advertising of the public hearing, Councilman Horsley seconded. Discussion: Councilman Horsley inquired about changing the charter concerning the quorum. Mayor Hallman said he thinks it's the interpretation of language. Mr. Welch said that we were trying to err on side of being safer than sorry later. Mayor Hallman asked is it necessary to decide at the second meeting. Mr. Welch stated there is a two-reading rule so the first reading could be the public hearing and at the next meeting, Council votes on the item.**

8. NEW BUSINESS

**8.I MOTION: Councilman Horsley made a motion to modify the agenda to add an item for discussion and action for the Exchange Club to use the concession stand for the upcoming baseball season and add a discussion for the dates for the Taste of Hapeville; Councilman Alexander seconded. Vote 2-0-1 (Councilman Adams abstained).**

Heather Glantz of the Exchange Club said the club is asking to use the concession stand for the baseball season beginning on April 13, 2019 and asking for support for the Taste of Hapeville that will be at Arches Brewing on June 22, 2019.

**MOTION: Councilman Horsley made a motion to allow use of the concession stand for the baseball season and in-kind support for the Taste of Hapeville, Councilman Alexander seconded. Vote 2-0-1 (Councilman Adams abstained).**

## 8.II Consideration and Action on Dr. Bailey's Request to Host the Hapeville 5K Run/Walk to Benefit Homeless K-12 Students

Julian Glantz of the Exchange Club said the club would like to entertain a 5K again this year. The Exchange Club would like to partner with the national organization "Stand Up for Kids". They are proposing a much larger event with 50-100 runners. They are looking for approval and assistance with in-kind help with road blockage. Mr. Glantz advised that they may need to change the start and end location of the route to the recreation center.

**MOTION: Councilman Horsley made a motion to approve the request to host the 5K Run/Walk in Hapeville on April 13, 2019, Councilman Alexander seconded. Vote 2-0-1 (Councilman Adams abstained).**

## 8.III Consideration and Action on Resolution Setting Qualifying Fees for the November 5, 2019 General Election.

**MOTION: Councilman Adams made a motion to approve the qualifying fees for the November 5, 2019 General Election, Councilman Alexander seconded. Vote 3-0.**

## 8.IV Consideration of Sign Ordinance Text Amendment – 1<sup>st</sup> Reading

Dr. Patterson said this is just for housekeeping and recommends approval. Mayor Hallman stated this would stand as the first reading.

## 8.V Consideration of U-V, Urban Village Zone Text Amendment – 1<sup>st</sup> Reading

Dr. Patterson said this is a minor change. The code is written unclear and looks like a 15ft buffer is required; therefore, the text needs to be modified to only apply if mixed use development. Mayor Hallman stated this would stand as the first reading.

## 8.VI Discussion Initiated by Mayor Hallman to Remove the Clean & Beautiful Commission as a City Body

Consensus of Mayor and Council to add as an action item on the next meeting agenda to remove commission as a City body.

## 8.VII Discussion Initiated by Councilman Adams on Concession Stand Upkeep

Council directed staff to come back with an itemized list of things needed for upkeep including estimates. Also, Mayor Hallman will donate a security system.

## 8.VIII Discussion on Booting Ordinance

Councilman Alexander said clearer signage is needed and at a minimum the sign should include the address and name, and every spot should have a sign. Legal will revise the ordinance. Mayor Hallman said he may reach out to a couple of businesses and get feedback from them. He added not to rush.

9. City Manager Report: Mr. Young informed every one of the following items: trash collections and copier service RFPs; working on the CAFR for the 2019 year, and that the departmental budget planning had begun.

10. Public Comments: none

Daniel Ray  
Julian Glantz  
John Christian

11. Mayor and Council Comments

Councilman Alexander said she was in favor of eliminating recycling. She also stated it was a shame that the City did not have a day of service. Also, she entertained the idea of having a city sponsored cleanup day to get rid of left-over candy. Councilman Adams thanked everyone for coming out. He said that he and Councilman Horsley had a great presentation with Kennesaw State University concerning traffic issues. The students seemed very interested. Councilman Horsley said he desires to look in to having an engineering team. Mayor Hallman asked everyone to keep Ms. Betty Barnett in their thoughts and prayers.

12. Executive Session –

**MOTION: Councilman Horsley made a motion at 7:24PM to go in to executive session for litigation, real estate, and personnel, Councilman Adams seconded. Motion carried 3-0.**

**MOTION: Councilman Adams made a motion to go in to recess, Councilman Horsley seconded. Motion carried 3-0. Councilman Horsley made a motion to go in to executive session, Councilman Adams seconded. Motion carried 3-0.**

No action taken.

**MOTION: Councilman Horsley made a motion to go in to recess, Councilman Adams seconded. Motion carried 3-0. Councilman Adams made a motion to reconvene back into open meeting, Councilman Alexander seconded. Motion carried 3-0.**

13. Adjourned –

**MOTION: Councilman Horsley made a motion to adjourn the meeting at 8:50PM, Councilman Alexander seconded. Motion carried 3-0.**

Respectfully submitted,

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Alan Hallman, Mayor

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Crystal Griggs-Epps, City Clerk